

Serial No.: 10/573,483

Amendments to the Drawings:

The attached sheet of drawing changes the reference numeral “a2” on the right side of Fig. 4 to ‘a1’ and changes the reference numeral ‘b2’ of the horizontal line to ‘b1’.

Attachment: Replacement Sheet

REMARKS

In the previous Amendment, new claim 5 was inadvertently made dependent on claim 1, which was cancelled. Claim 5 should have been made dependent on new independent claim 4, which replaced cancelled claim 1. Therefore, claim 5 has been made dependent on new independent claim 4 by the present Amendment. In addition, “toward the circumferential direction of the ring-shaped nozzle” in claim 4 has been changed to “in the circumferential direction of the ring-shaped nozzle”, because the latter expression is believed to be more idiomatic.

The attached sheet of drawing changes the reference numeral “a2’ on the right side of Fig. 4 to ‘a1’ and changes the reference numeral ‘b2’ of the horizontal line to ‘b1’ in order to be consistent with page 5, lines 16-23 of the original specification.

In the current Office Action, the Examiner finally rejects all of the claims, claims 4-6, under 35 USC 103 on the ground that their subject matter would have been obvious over the Govindan reference (US 3,857,511). In the rejection, the Examiner states that the Govindan reference discloses air jetting means (b) for forming a covering air flow surrounding the periphery of atomized paint jetted from the paint jetting part. However, the air passing through (b) is for atomizing the paint that comes through the nozzle 3. This can be appreciated from Fig. 1 of Govindan and column 3, lines 41-49. Thus, the air issuing from (b) does not form a covering airflow surrounding the periphery of atomized paint; instead, the air issuing from (b) and the paint that comes through the nozzle define together the atomized paint. Accordingly, Govindan does not disclose the subject matter of claim 1 of “air jetting means for forming a covering air flow surrounding the periphery of atomized

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paint jetted from the paint jetting part”.

The Examiner states that the Govindan reference discloses all of the subject matter of claim 4, except the paint outlet being positioned forward of the nozzle holes of the ring-shaped nozzle. The Examiner also states that it would have been obvious to have made the paint outlet of Govindan forward of the nozzle holes of the air-jetting means, because the applicant has not disclosed that such a structure provides an advantage, is used for a particular purpose, or solves a stated problem. Reconsideration of this issue is respectfully requested.

The feature of claim 4 of, for example, a paint outlet that is positioned forward of the nozzle holes of the ring-shaped nozzle of the air jetting means does have an advantage. Positioning the paint outlet forward of the nozzle holes of the ring-shaped nozzle results in the paint not adhering on the body frame and the nozzle holes (25a) not clogging. This advantage is described in lines 13-15 on page 2 of the application, but advantages need not be described in the application (*In re Chu*, 36 USPQ2d 1089 (Fed. Cir. 1995)).

In rejecting claim 5, the Examiner states that it would have been obvious to have connected the paint feeding hose through the handle of the housing 2 of Govindan, because the applicant has not disclosed that such an arrangement provides an advantage, is used for a particular purpose, or solves a stated problem. In fact, connecting the paint feeding hose through the handle of the present invention provides an advantage over the arrangement disclosed in Govindan. More specifically, connecting the paint feeding hose through the handle enables the spray gun of the present invention to be held with less strength or force. Arranging the paint feeding hose 7 of Govindan forward of the handle of the housing exerts a strong force on the front of the spray gun of Govindan. As a result, greater force or strength must be exerted by a

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user on the handle of Govindan in order to 1) overcome the force on the front of the spray gun applied by the forward-positioned hose and also to 2) maintain the gun in a desired aimed orientation.

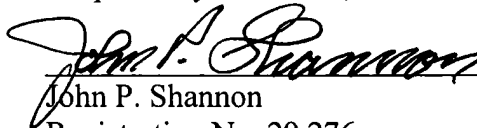
In rejecting claim 6, the Examiner contends that the Govindan reference discloses that the air intake is positioned rearward of the prehensile part. It is pointed out that the air intake 1 of Govindan is received in the prehensile part of the housing 2 (Fig. 1), and is not positioned rearward of the prehensile part, as is required by claim 6.

In view of the foregoing, it is submitted that all of the claims are allowable and that the application is in condition for allowance. An early notice to that effect is respectfully requested.

The Commissioner is hereby authorized to charge any deficiency in fees or to credit any overpayment in fees to Attorney's Deposit Account No. 50-0562.

Date: 3-19-09

Respectfully submitted,


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